

BILL NO. 3-18-08-4

SUMMARY - An ordinance to amend Title 22, Chapter 22.16 (Amusement and Transportation Systems Code) of the Code of Clark County by deleting Chapter 22.16 in its entirety and adopting a new Chapter 22.16; and providing for other matters properly relating thereto.

ORDINANCE NO. 3619

AN ORDINANCE TO AMEND TITLE 22, CHAPTER 22.16 OF THE CLARK COUNTY CODE BY DELETING CHAPTER 22.16 IN ITS ENTIRETY AND ADOPTING A NEW CHAPTER 22.16 ENTITLED AMUSEMENT AND TRANSPORTATION SYSTEMS CODE WHICH ADOPTS NATIONAL STANDARDS FOR THE DESIGN, MANUFACTURING, OPERATIONS, TESTING, MAINTENANCE, INSPECTIONS, QUALITY ASSURANCE, CLASSIFICATION OF INJURIES, ADOPTING OTHER STANDARDS AND IMPOSING PENALTIES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA DOES HEREBY ORDAIN AS FOLLOWS.

SECTION 1. Title 22, Chapter 22.16 of the Clark County Code is deleted in its entirety.

SECTION 2. Title 22. Chapter 22.16 is adopted to read as follows:

#### **AMUSEMENT AND TRANSPORTATION SYSTEMS CODE**

##### **Sections:**

- 22.16.010 Purpose.**
- 22.16.020 Scope.**
- 22.16.030 Definitions.**
- 22.16.040 Other Adopted Codes.**
- 22.16.050 Owner/Operators.**
- 22.16.060 Prohibited Use Notice and Resolution.**
- 22.16.070 Appeals.**
- 22.16.080 Adoption of Standards for Application Information Provisions.**
- 22.16.090 Adoption of Standard for Operation.**
- 22.16.100 Adoption of Standard for Performance Testing.**
- 22.16.110 Adoption of Standards for Maintenance.**
- 22.16.120 Adoption of Standards for Inspection.**
- 22.16.130 Adoption of Standards for Design and Manufacture.**
- 22.16.140 Adoption of Standards for Manufacturer Quality Assurance Program.**
- 22.16.150 Adoption of Standards for the Classification of Amusement Ride and Device Related Injuries and Illnesses.**

22.16.160	Adoption of Standards for Used Rides.
22.16.170	Adoption of Standard for Concession Go-Karts.
22.16.180	Adoption of Standard for Measuring the Dynamic Characteristics of Amusement Rides and Devices.
22.16.190	Adoption of Standard for Design of Amusement Rides and Devices
22.16.200	Adoption of Standards for Aerial Tramways, Aerial Lifts, Surface Lifts, Tows and Conveyors – Safety Requirements.
22.16.210	Adoption of Standard for Funiculars.
22.16.220	Adoption of Standard for Fixed Guideway Transit Systems.
22.16.230	Adoption of Standard for Automated People Movers, Part 1.
22.16.240	Adoption of Standard for Automated People Movers, Part 2.
22.16.250	Adoption of Standard for Automated People Movers, Part 3.
22.16.260	Adoption of Standard for Bungy Jumping.
22.16.270	Adoption of Standard for Flame Effects.
22.16.280	Amusement or Transportation System with Insufficient Data or Built to Other Standards.
22.16.290	Requirements for an attraction.
22.16.300	Penalties.

**22.16.010 Purpose.** This chapter establishes minimum standards for the design, construction, alteration, maintenance, operation, plan review, inspections, and the issuance of Amusement and Transportation Systems Permits and Certificates of Operation for amusement and transportation systems and attractions. It is intended to protect the public's safety, health and general welfare by setting certain standards for structural strength, stability, and safety relative to life and property hazards related to the installation, construction, maintenance, alteration, repair, removal, and use of amusement or transportation systems.

**22.16.020 Scope.** Unless otherwise exempted, the provisions and adopted standards of this chapter shall apply to all amusement or transportation systems and attractions erected or installed for a period of 30 days or longer. Amusement and Transportation Systems (ATS) with a submitted application or an ATS permit are not eligible for this exemption.

This chapter may be referenced as the Amusement and Transportation Systems Code of Clark County.

The provisions of this chapter shall not be held to deprive any federal or state agency, or any applicable governing body having jurisdiction, of any power or authority which it had on the effective date of this code or of any remedy for the enforcement of its orders, nor shall it deprive any individual, entity, or corporation of its legal rights as provided by law. These provisions are not intended to regulate public transportation means which are already regulated by the State of Nevada Transportation Service Authority.

This code shall be considered as a technical code whose administrative provisions are generally contained in the Building Administrative Code of Clark County, Chapter 22.02, where not specified differently herein.

**22.16.030 Definitions.** For the purposes of this chapter, the words and terms defined in this section have the meanings ascribed to them herein or the Building Administrative Code or other adopted technical codes. When terms are not defined, they shall have their ordinarily accepted meanings within the context in which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, copyright 1986, shall be considered as providing ordinarily accepted meanings.

**ATTRACTION** is an interactive device that contains elements such as a moving stage, hydraulics, pneumatics, fire spectacles or other devices designed to entertain.

**AMUSEMENT PARK** means a tract or area used principally as a permanent location for amusement systems, amusement buildings or transportation systems.

**MAJOR MODIFICATION** of an ATS is any change in either the structural or operational characteristics of the ATS which will alter its performance from that specified in the manufacturer's design criteria, including ride control, software, speed, direction, or dynamic characteristics.

**MINOR MODIFICATION** of an ATS is any change that does not alter the structural or operational characteristics nor change its performance from that specified in the manufacturer's design criteria, and does not meet the definition of a major modification. A minor modification may require changes to the operation and/or maintenance manual(s) and re-inspection of the ride.

**OPERATIONS AND MAINTENANCE MANUAL(S)** means one or more manuals in English approved by the department which specify what the Owner/Operator will follow to ensure proper maintenance and safe operation in order to meet the standards of this chapter.

**OWNER/OPERATOR** means the owner, operator, lessee, or the person having custody or control of the ATS.

**PROPERLY MAINTAINED** means maintained in accordance with the requirements of the approved Operations and Maintenance Manual(s).

**QUALIFIED INDIVIDUAL** means a designated representative(s) of the owner/operator of an ATS who is a technically qualified person accountable to the owner and Clark County for the operation and maintenance of an ATS as noted in 22.16.050 (B).

**UNSCHEDULED CESSATION** is a rare, unusual or irregular stopping of an ATS operation at a non-designated stopping point.

**22.16.040 Other Adopted Codes.** The ATS regulated by this chapter as a technical code shall conform to the requirements of all other adopted technical codes of the department as they may apply to an installation. Where conflicting codes exist, the most restrictive code shall apply.

**22.16.050 Owner/Operators.**

**(A) Owner/Operator's Responsibilities.** The owner/operator responsibilities shall include, but not be limited to, ensuring that each ATS is operating correctly, inspected, properly

maintained, and properly operated as specified in the approved Operations and Maintenance Manual(s) and this chapter, designating a qualified individual for each ATS, and determining when use of an ATS should be discontinued.

**(B) Qualified Individual Responsibilities.** The qualified individual shall be the designated technical representative of the owner/operator with respect to a specified ATS. This individual shall be responsible for having full operational knowledge of the ATS and responsibility for maintenance at all times that the ATS is in use. The qualified individual shall be an on-site employee of the owner/operator, the owner/operator, the manufacturer, or a contracted maintenance company. This individual is responsible for providing all reports to Clark County as described herein.

#### **22.16.060 Prohibited Use Notice and Resolution.**

**(A) Prohibited Use Notice.** Where the Building Official determines an ATS is not in compliance with the requirements and provisions of this chapter, the applicable technical codes, the Building Administrative Code, the approved Operations and Maintenance Manual(s) or an accident has occurred which has resulted in a fatality, injury, ATS damage, or unscheduled cessation, the Building Official may declare that the continued operation of the ATS is prohibited. Upon receipt of a Prohibited Use Notice, the owner/operator and Qualified Individual shall immediately cease operation of the ATS.

**(B) Out-of-Service Seal.** Upon issuance of a Prohibited Use Notice, the Building Official shall cause to be affixed to the control panel, or other location an Out-of-Service Seal(s) stating that the ATS shall not be used. Upon written approval of the Building Official testing or inspection may occur under this notice. In the event that the owner/operator does not adequately secure the ATS, then the Building Official may in his discretion cause one or more Out-of-Service Seal(s) to be placed across the entrance(s) to such ATS. Such notice and seals shall not be removed except by order of the Building Official after the ATS has been repaired, re-inspected and approved as operational.

**(C) Method of Resolution.** Once the owner/operator has effected a repair of all deficiencies identified in the Prohibited Use Notice, the owner/operator shall notify the department and request an inspection. When the deficiencies are found to be corrected and required tests are completed successfully, then the Out-of-Service Seal(s) shall be removed immediately.

**22.16.070 Appeals.** The owner/operator may appeal orders, decisions or determinations made by the Building Official relative to the application and interpretations of this code to the Combined Board of Building Appeals as provided in the Building Administrative Code of Clark County. The pendency of the appeal shall not result in the removal of the Out-of-Service Seal. Failure of the owner/operator to file an appeal within twenty days of the date of issue of a Prohibited Use Notice shall be a waiver of subsequent administrative redress. Upon written appeal, the Combined Board of Building Appeals shall schedule a hearing.

**22.16.080 Adoption of Standard for Physical Information to be Provided for Amusement Rides and Devices.** That certain document being marked and designated as the American Society for Testing and Materials (ASTM) Standard F698-94 (Re-approved 2000),

Standard Specification for Physical Information to be Provided for Amusement Rides and Devices, is hereby adopted by reference as a part of this chapter.

**22.16.090 Adoption of Standard for Ownership and Operation.** That certain document being marked and designated as the American Society for Testing and Materials (ASTM) Standard F770-06a, Standard Practice for Ownership and Operation Procedures for Amusement Rides and Devices, is hereby adopted with the following amendments:

A new section is added to read as follows:

## 11.0 REQUIRED DOCUMENTS

11.1 Copies of all items identified in this standard shall be presented to the department for review and approval. All such documents shall be a part of the ATS Permit application package and are a required part of the total plan submittal package. The plans for construction may not be approved nor any permits issued until the information required herein is submitted, reviewed and approved.

11.2 Copies of the Clark County approved operation and maintenance manual(s) identified in this standard shall be maintained at all times with the ATS or at a location near the ATS approved by the Building Official. These documents shall be made available for review by the Building Official, his authorized agent or other concerned county agencies upon request during normal operating hours.

11.3 A copy of the emergency procedure shall be filed with the department to meet the intent of the standard included herein.

11.4 The owner/operator shall retain quality assurance documentation, such as material certification test reports, inspection records, and reports for the life of the ATS while under his/her control. Upon sale or other transfer of the ATS, the owner/operator shall transfer these quality assurance documents to the new owner/operator.

**22.16.100 Adoption of Standard for Testing Performance.** That certain document being marked and designated as the American Society for Testing and Materials (ASTM) Standard F846-92 (Re-approved 1998), Standard Guide for Testing Performance of Amusement Rides and Devices, is hereby adopted with the following amendments:

Section 7, Paragraph 7.1, is amended to read as follows:

The manufacturer of the ATS shall develop specific operational tests along with minimum intervals for these tests to be performed that will allow the owner/operator of the ATS to determine whether a given ATS is operating within prescribed operational limits. Testing as prescribed by the manufacturer shall be performed or observed by a Clark County approved third party testing agency for initial installation and subsequent testing. When required by the approved Operations and

Maintenance Manual(s), the owner/operator shall cause an approved third-party agency to perform or observe testing and/or inspection.

**22.16.110 Adoption of Standard for Maintenance.** That certain document being marked and designated as the American Society for Testing and Materials (ASTM) Standard F853-05, Standard Practice for Maintenance Procedures for Amusement Rides and Devices, is hereby adopted with the following amendment: Section 4, Paragraph 4.1, Subparagraph 4.1.14 is amended to read as follows:

Supplemental notification bulletins delivered by the manufacturer of an ATS to the owner/operator that were not provided at the time of sale and contain new information or newly recommended inspections or testing, or both, shall be provided to the department on request with maintenance bulletins or similar documents originated by the manufacturer of the ATS after its initial installation.

**22.16.120 Adoption of Standard for Inspection.** That certain document being marked and designated as the American Society for Testing and Materials (ASTM) Standard F893-05a, Standard Guide for Inspection of Amusement Rides and Devices, is hereby adopted with the following amendments:

Section 5, Paragraph 5.1.1, is amended to read as follows:

The manufacturer of an ATS shall have a written quality assurance program for use in conjunction with the design, manufacture, construction, modification, or reconditioning of the amusement ride or device. A copy of the manufacturer's written quality assurance program shall be submitted at the time of Amusement and Transportation Systems Permit application for review and approval. The Building Official may also require that the quality assurance program be amended and brought into conformance with the adopted and published technical guidelines or other requirements of Clark County prior to the approval of any ATS.

Section 5, Paragraph 5.1.3.1, is amended to read as follows:

5.1.3.1 Any changes in the procedures prescribed in 5.1.3 deemed essential by the manufacturer due to information not available to the manufacturer at the time of delivery shall be communicated in writing to the owner/operator and to the department.

Section 5, Paragraph 5.1.5, is amended to read as follows:

Upon notification from an owner/operator of an incident involving a critical component, the manufacturer of an ATS shall promptly evaluate this information and disseminate the findings to the original owner/operator along with any pertinent recommendations to all known owner/operators. The owner/operator shall provide the findings to the department.

**22.16.130 Adoption of Standard for Design and Manufacture.** That certain document being marked and designated as the American Society for Testing and Materials (ASTM) Standard F1159-02, Standard Practice for Design and Manufacture of Amusement Rides and Devices, is hereby adopted.

Section 1 Scope is amended by the addition of a new Section 1.3.

1.3. This standard applies to rides which conform to areas 1 and 2 as shown in FIG. 2 of ASTM Standard F2291-05, referenced in Section 22.16.190.

A new paragraph 4.4 is added to read as follows:

4.4 Engineering Review — When the ATS is not designed by a Nevada licensed engineer, a Nevada licensed engineer shall provide or ensure the necessary expertise to review subsystem design (i.e. civil, controls, mechanical, electrical, power, structural, etc.). The Nevada licensed engineer shall ensure subsystem integration compatibility and the overall system to verify that the design is in conformance with this chapter and other applicable standards. A report prepared by and stamped with the seal of the Nevada licensed engineer describing the review process shall be included with the submittal. Other proof of adequacy of design such as testing, product listing or any other appropriate documentation may be required or accepted by the Building Official in lieu of engineering design or calculations.

**22.16.140 Adoption of Standard for Quality, Manufacture and Construction of Amusement Rides and Devices Quality Assurance Program.** That certain document being marked and designated as the American Society for Testing and Materials (ASTM) Standard F1193-06, Standard Practice for Quality, Manufacture, and Construction of Amusement Rides and Devices is hereby adopted. It is the intent of the Building Official that ATS manufacturers shall maintain a quality assurance program that is satisfactorily equivalent to the Building Administrative Code's section entitled Approved Fabricator/Manufacturer. Documentation that the manufacturer meets this standard shall be furnished to the department at the time of Amusement or Transportation System Permit application.

**22.16.150 Adoption of Standard for the Classification of Amusement Ride and Device Related Injuries and Illnesses.** That certain document being marked and designated as the American Society for Testing and Materials (ASTM) Standard F1305-94 (Re-approved 2002), Standard Guide for The Classification of Amusement Ride and Device Related Injuries and Illnesses, is hereby adopted with the following amendments:  
Sections 2.1.1, 2.1.3, 3, 4.2 and 5 are not adopted.

Section 2.1.4 is modified to add the following sentences:

*Simple Fractures* - A simple fracture of any bone shall be reported as a serious injury. Toxic inhalation shall be considered a serious injury.

Section 4 is amended to add the following:

4.3.1.9 Damage to equipment, and the owner/operator's expected actions to repair or take out of service.

4.4 It shall be the responsibility of the owner/operator to maintain all reports specified by this standard.

Section 7 a new section is added to read as follows:

7. Clark County Notification

Each ride shall post at the operator's station the Emergency Response Notification sheet provided by Clark County.

- 7.1 **Reporting fatalities.** The owner/operator shall close down the ATS immediately and report any fatality occurring on an ATS as soon as possible but no later than four (4) hours after the incident by telephone to the Building Official or his designee. The verbal report shall be followed by a written report to the Building Official within two (2) days. The ride shall remain closed until written authorization is obtained from the Building Official to resume operations.
- 7.2 **Reporting Serious Injuries.** When a serious injury occurs, the owner/operator shall report the incident as soon as possible but no later than four (4) hours by telephone to the Building Official or his designee. The verbal report shall be followed by a written report to the Building Official within five (5) days.
- 7.3 **Reporting Unscheduled Cessation, Structural, Mechanical, or Electrical Equipment, Damage.** The owner/operator shall report unscheduled cessation or damage as soon as possible but no later than four (4) hours by telephone to the Building Official or his designee. The owner/operator shall file a report to the Building Official or his designee within five (5) days of any unscheduled cessation or damage to an ATS. This reporting requirement excludes normal maintenance activities.
- 7.4 **Action upon notification.** Upon notification of a fatality, serious injury, unscheduled cessation or a damage report, the Building Official or his designee shall determine whether the ATS shall be sealed out-of-service by a Prohibited Use Notice. The owner/operator is responsible to fully inspect the ATS, make any corrective repairs, and test components and operation as specified in this chapter and the Operation and Maintenance Manual(s). The owner/operator has the burden to ensure that the ATS meets all requirements for a return to service prior to requesting department inspection.

**22.16.160 Adoption of Standard for Used Rides.** That certain document, three copies of which are on file in the office of the county clerk, said copies being marked and designated as the American Society for Testing and Materials (ASTM) Standard F1950-99, Standard Specification for Physical Information to be Transferred With Used Amusement Ride and Devices, is hereby adopted by reference as a part of this chapter.

**22.16.170 Adoption of Standard for Concession Go-Karts.** That certain document being marked and designated as the American Society for Testing and Materials (ASTM) Standard, F2007-07, Standard Practice for the Classification, Design, Manufacture, and Operation of Concession Go-Karts and Facilities, is hereby adopted by reference as a part of this chapter.

**22.16.180 Adoption of Standard for Measuring the Dynamic Characteristics of Amusement Rides and Devices.** That certain document being marked and designated as the American Society for Testing and Materials (ASTM) Standard, F2137-01 Standard Practice for Measuring the Dynamic Characteristics of Amusement Rides and Devices, is hereby adopted by reference as a part of this chapter.

**22.16.190 Adoption of Standard for Design of Amusement Rides and Devices.** That certain document being marked and designated as the American Society for Testing and Materials (ASTM) Standard, F2291-05, Standard Practice for Design of Amusement Rides and Devices, is hereby adopted by reference as a part of this chapter.

Section 1 Scope is amended by the addition of new Sections 1.6 and 1.7.

1.6 This standard may involve hazardous materials, operations and equipment. Where such substances or operations are involved, the requirements of International Building Code Section 307 and other appropriate sections of the International Building Code and the Fire Code shall apply.

1.7 This standard applies to rides which conform to areas 3, 4 and 5 as shown in FIG. 2.

A new paragraph 5.1.1.4 is added to read as follows:

5.1.1.4 Passenger Evacuation — The ride analysis shall address passenger evacuation and shall provide an egress platform, stairway, walkway, elevator, scissors lift, ladder or other acceptable means to safely evacuate passengers from all positions during an unscheduled cessation.

A new paragraph 5.5.3 is added to read as follows:

5.5.3 Engineering Review — When the ATS is not designed by a Nevada licensed engineer, a Nevada licensed engineer shall provide or ensure the necessary expertise to review subsystem design (i.e. civil, controls, mechanical, electrical, power, structural, etc.). The Nevada licensed engineer shall ensure subsystem integration compatibility and the overall system to verify that the design is in conformance with this chapter and other applicable standards. A report prepared by and stamped with the seal of the Nevada licensed engineer describing the review process shall be included with the submittal. Other proof of adequacy of design such as testing, product listing or any other appropriate documentation may be required or accepted by the Building Official in lieu of engineering design or calculations.

A new sentence is added to Paragraph 6.3.1 of ASTM 2291-05 to read as follows:

6.3.1 A rider restraint system, individually adjustable to the girth of the rider, may be required by the Building Official, based on a review of the unique operating characteristics of each particular

ATS. The Building Official may require the use of two independent restraints.

Add a new section 11.3.1.6 to ASTM 2291-05 to read as follows:

11.3.1.6 ATS Control System Review

11.3.1.6.1 The ATS control system shall be reviewed by an engineer registered in the state of Nevada or an agency acceptable to the department.

11.3.1.6.2 The analysis and conclusions of the review shall be provided to the department.

11.3.1.6.3 A testing program consisting of normal operation and worst case scenarios shall be developed to verify the ATS control system operates as designed. If the scenario has been designed by others, the design professional shall review the testing program.

Section 18 Unlisted or Uncertified Components is hereby added and shall read as follows:

18. Unlisted or Uncertified Components. All unlisted or uncertified components shall be labeled using appropriate standards by a Nationally recognized agency.

**22.16.200 Adoption of Standard for Aerial Tramways, Aerial Lifts, Surface Lifts, Tows and Conveyors – Safety Requirements.** That certain document being marked and designated as the American National Standards Institute (ANSI) Standard B77.1-2006, American National Standard for Passenger Ropeways-Aerial Tramways, Aerial Lifts, Surface Lifts, Tows and Conveyors – Safety Requirements, is hereby adopted.

**22.16.210 Adoption of Standard for Funiculars.** That certain document being marked and designated as the American National Standards Institute (ANSI) Standard B77.2-2004, American National Standard for Funiculars – Safety Requirements, is hereby adopted.

**22.16.220 Adoption of Standard for Fixed Guideway Transit Systems.** That certain document being marked and designated as the National Fire Protection Association, Inc., NFPA 130-2007, Standard for Fixed Guideway Transit and Passenger Rail Systems, is hereby adopted.

**22.16.230 Adoption of Standard for Automated People Movers. (Part 1)** That certain document being marked and designated as the American Society of Civil Engineers, ASCE 21-05, Automated People Mover Standards – Part 1 (Operating Environment, Safety Requirements, System Dependability, Automatic Train Control, (ATC) and Audio and Visual Communications), is hereby adopted.

**22.16.240 Adoption of Standard for Automated People Movers. (Part 2)** That certain document being marked and designated as the American Society of Civil Engineers, ASCE 21-98, Automated People Mover Standards - Part 2 (Vehicles, Propulsion and Braking), is hereby adopted.

**22.16.250 Adoption of Standard for Automated People Movers. (Part 3)** That certain document being marked and designated as the American Society of Civil Engineers, ASCE 21-00, Automated People Mover Standards - Part 3 (Electrical, Stations, and Guideways), is hereby adopted.

**22.16.260 Adoption of Standard for Bungy Jumping.** That certain document being marked and designated as the Australian/New Zealand Standard, AS/NZS 5848:2000, Code of Practice for Bungy Jumping, is hereby adopted with the following amendment:

Add a new section 114.7.2 (h) to read as follows:

(h) When the exposure to daylight exceeds 250 hours.

**22.16.270 Adoption of Standard for Flame Effects.** That certain document being marked and designated as the National Fire Protection Agency (NFPA) 160, Standard for Flame Effects Before an Audience, 2006 Edition is hereby adopted.

**22.16.280 Amusement or Transportation System Built to Other Standards.** When the ATS was built to other standards, the owner/operator or his designated representative shall provide such information as the Building Official shall determine to be appropriate. Such information shall conform to the intent of this chapter and shall include engineering analysis and calculations, testing programs, and inspections of the ATS, as appropriate. When the owner/operator has one or more published standards under which the ATS was designed and built, then the owner/operator shall submit the standard(s) along with the design, calculations, testing and inspection data for review under the provisions of the Clark County Building Administrative Code, Chapter 22.02 for Alternate Materials and Methods of Construction, Modifications, and Tests.

**22.16.290 Requirements for an attraction.**  
Devices classified as an attraction must obtain all appropriate permits and inspections required for installation. In addition an attraction must demonstrate the following:

1. In the event of a fire alarm or signal, the attraction must stop all confusing sounds and show elements and reset to its original load/unload position.
2. Exits must be illuminated and visible. Additional exit signs and directional markings may be required.
3. Lighting shall be restored to a level equivalent to the building requirements prior to the attraction being run.
4. Attractions must be built of materials and comply with material specifications appropriate to the building where the attraction is placed.
5. Attractions shall demonstrate compliance with codes and manufacturer's specifications and obtain all permits and inspections prior to public operation.

**22.16.300 Penalties.** An owner/operator of an ATS who allows such system to be operated:

- (A) without a valid Certificate of Operation;
- (B) in violation of an Out-of-Service Seal or Prohibited Use Notice;
- (C) in violation of the safety requirements of this chapter;

shall be deemed guilty of a misdemeanor, and each such owner/operator shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation(s) of any of the provisions of this code are committed, continued, or permitted. Upon conviction of any such violation, the owner/operator may be punished by a fine of not more than \$1,000.00 per each day or instance of violation or by imprisonment for not more than six (6) months, and/or by both such fine and imprisonment.

SECTION 3. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 4. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases, or sentences contained in the Code of Clark County in conflict herewith are hereby repealed.

SECTION 5. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the 18th day of March, 2008

PROPOSED BY Rory Reid

PASSED on the 1st day of April, 2008

AYES: Susan Brager

Tom Collins

Chris Giunchigliani

Chip Maxfield

Rory Reid

\_\_\_\_Lawrence Weekly\_\_\_\_

\_\_\_\_Bruce L. Woodbury\_\_\_\_

NAYS: \_\_\_\_\_None\_\_\_\_\_

\_\_\_\_\_

ABSTAINING: \_\_\_\_\_None\_\_\_\_\_

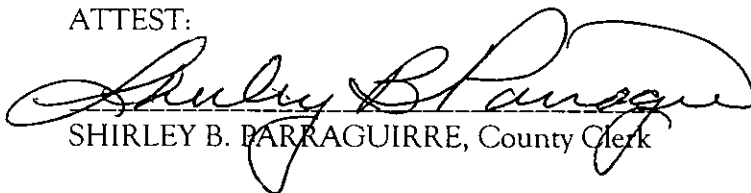
ABSENT: \_\_\_\_\_None\_\_\_\_\_

\_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, NEVADA

BY \_\_\_\_\_  
CHAIR

ATTEST:

  
SHIRLEY B. PARRAGUIRRE, County Clerk

This ordinance shall be in force and effect from and after the 1st day of May, 2008.

AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

STACEY M. LEWIS, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

CC CLERK

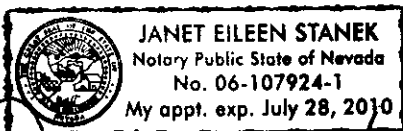
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was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 2 edition(s) of said newspaper issued from 04/08/2008 to 04/15/2008, on the following days:

04/08/2008

04/15/2008



Signed: \_\_\_\_\_

*Stacey M. Lewis*

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

15<sup>th</sup> day of April, 2008.

*Janet Eileen Stanek*

Notary Public

Ordinance No. 3619

AN ORDINANCE TO AMEND TITLE 22, CHAPTER 22.16 OF THE CLARK COUNTY CODE BY DELETING CHAPTER 22.16 IN ITS ENTIRETY AND ADOPTING A NEW CHAPTER 22.16 ENTITLED AMUSEMENT AND TRANSPORTATION SYSTEMS CODE WHICH ADOPTS NATIONAL STANDARDS FOR THE DESIGN, MANUFACTURING, OPERATIONS, TESTING, MAINTENANCE, INSPECTIONS, QUALITY ASSURANCE, CLASSIFICATION OF INJURIES, ADOPTING OTHER STANDARDS AND IMPOSING PENALTIES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

NOTICE IS HEREBY GIVEN that typewritten copies of

the above-numbered and entitled Ordinance are available for inspection by all interested parties at the Office of the County Clerk of Clark County, Nevada, at her Commission Division Office on the sixth floor of the Clark County Government Center, 500 South Grand Central Parkway, Las Vegas, Nevada; and that said ordinance was proposed by Commissioner Rory Reid on the 18th day of March, 2008, and passed on the 1st day of April, 2008, by the following vote of the Board of County Commissioners:

Aye: Susan Brager  
Tom Collins  
Chris Giunchigliani  
Chip Maxfield  
Rory Reid  
Lawrence Weekly  
Bruce L. Woodbury  
Nay: None  
Abstaining: None  
Absent: None

This ordinance shall be in full force and effect from and after the 1st day of May, 2008.

(SEAL)  
Shirley B. Parraguirre  
County Clerk and Ex-Officio Clerk of the Board of County Commissioners  
Dated this 1st day of April, 2008.

PUB: April 8, 15, 2008  
LV Review-Journal